THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.5393 of 2006

Dt.20.3.2006

Between:

S.Madeena Bee … Petitioner

And

The Mandal Revenue Officer,

Gurramkonda Mandal, Chittoor District

And 2 others.

…Respondents

ORDER:

Petitioner questions the action of the respondents in not following the due process of law for taking over the lands belonging to the petitioner in Sy.No.136/3 an extent of Ac.4.52 cents, Sy.No.35/1 an extent of Ac.2.45 cents, Sy.No.2/4 an extent of Ac.1.01 cents and Sy.No.66 an extent of Ac.2.02 cents (wet land) in Chittiboinapalle Village, Gurramkonda Mandal, Chittoor District, for issuance of those lands as pattas to 3rd parties by the respondents as illegal and arbitrary.

The case of the petitioner is that the husband of the petitioner had acquired the lands to an extent of Ac.4.52 cents in Sy.No.136/3, Ac.2.45 cents in Sy.No.35/1, Ac.1.01 cents in Sy.No.2/4 and Ac.2.02 cents in Sy.No.66 (wet land) situated at Chittiboinapalle village, Gurramkonda Mandal, Chittoor District. After the death of her husband, the petitioner and her family members are cultivating the said lands. While so, the first respondent without issuing any notice to the petitioner and without following the due process of law trying to dispossess the petitioner and to assign the said property in favour of third parties.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

I am not inclined to express any opinion whether the said lands are assigned lands and the petitioner has got right and title over the said lands or not. Mere entry of names in the revenue records does not confer any right, title or interest over the said property. If the said entries are made contrary to the A.P.Assigned Lands (Prohibition of Transfer) Act, 1977, it is always open for the authorities to take appropriate action under the provisions of the Act. If the said lands are assigned lands, it is always open for the respondents to issue notice and take appropriate steps under A.P.Land Encroachment Act. But, without following the due process of law, the respondents cannot dispossess the petitioner. Accordingly, the respondents are directed not to dispossess the petitioner without following the due process of law.

The writ petition is accordingly disposed of. No order as to costs.

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V.ESWARAIAH, J.

20.3.2006

Note: Issue copy within two days

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